

<b>Notice of Allowability</b>	<b>Application No.</b> 09/356,564	<b>Applicant(s)</b> NORITA ET AL.	
	<b>Examiner</b> Nhan T. Tran	<b>Art Unit</b> 2615	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10/5/2004.
2. ☒ The allowed claim(s) is/are 18, 19, 24, 25, 30 and 31.
3. ☒ The drawings filed on 19 July 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## DETAILED ACTION

### *Response to Arguments*

1. Applicant's amendment, filed 10/5/2004, with respect to claims 18, 32 & 33 have been fully considered and are persuasive. Accordingly, claims 18, 19, 24, 25, 30 and 31 are allowed as set forth below.

### *Allowable Subject Matter*

2. Claims 18, 19, 24, 25, 30 and 31 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 18 and 24, the prior art of record fails to teach or fairly suggest the combination of all limitations as required in claim 18 that includes the limitations "...said image sensor being capable of randomly selecting one or more pixels to be read-out from said plurality of pixels;... said second operation is an autofocusing operation to obtain focus in accordance with a second pixel pattern in said captured image; and said second pixel pattern has a predetermined area having a *higher density of pixels-to-be-read* than the other areas of said second pixel pattern." Claim 24 is allowed as being a method claim of the apparatus claim 18 for the similar reason.

Regarding independent claims 30 & 31, the prior art of record also fails to teach or fairly suggest the combination of all limitations as required in claim 30, including the limitations

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“...said image sensor being capable of randomly selecting pixels-to-be-read; a pattern selector for selecting a first pixel pattern in accordance with a recording operation to record a captured image in a recording medium, said pattern selector further selecting a second pixel pattern having a smaller number of pixels- to-be-read than said first pixel pattern in accordance with an autofocusing operation on the basis of said captured image, *said pattern selector further selecting a third pixel pattern having a smaller number of pixels-to-be-read than said second pixel pattern in accordance with a display operation to display said captured image;*...” Claim 31 is allowed as being a method claim of the apparatus claim 30 for the similar reason.

Regarding claims 19 & 25, the claims are allowed as being dependent of claims 18 and 24, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (703) 605-4246. The examiner can normally be reached on Monday - Thursday, 8:00am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Thai Tran can be reached on (703) 305-4725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.



THAI TRAN  
PRIMARY EXAMINER